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12/19/02IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Christopher T. Grasteit

SC/Serial No.: 09/439,550

Confirm. No.: 1780

Filed: November 12, 1999

Title: VIRTUAL STREET ADDRESSING RADIUS

PATENT APPLICATION

Art Unit: 2775

Examiner: (Unknown)

Customer No. 23910CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on June 4, 2001.

Thomas A. Ward (Attorney Signature)
Thomas A. Ward, Reg. No. 35,732
Signature Date: June 4, 2001

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
Washington, DC 20231

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ✓ A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an information disclosure statement submitted in the parent application which complies with the Sept. 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

Attorney Docket No.: ETAK-07735US0
mcf/etak/7735.001.wpd

- 1 -

104.001:121400
06/04/1-15:27

This statement should be considered because:

☒ 37 C.F.R. §1.97(b). This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits;
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

☐ 37 C.F.R. §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

- ☐ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
- ☐ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

☐ 37 C.F.R. §1.97(d). Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the issue fee;
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

☒ **PTA Statement under 37 C.F.R. §704(d).** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER, DUBB, MEYER & LOVEJOY LLP

Date: 6/4/01

By: Thomas A. Ward

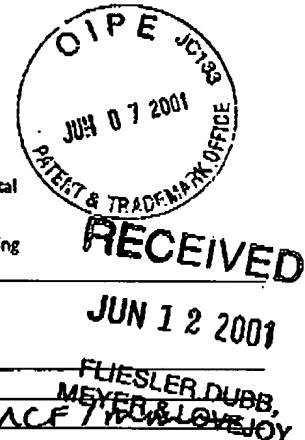
Thomas A. Ward, Reg. No. 35,732

The U.S. PATENT Office date stamp and Serial No. (if a new application) sets forth the date of receipt of:

Applicant: Grasteit
Patent/Serial No.: 09/439,550 Issued/Filing Date: 11/12/99
Title: Virtual Street Addressing Radius

- ☐ Patent Application and \$ _____ fee
Pages in Spec. _____ : No. of Claims _____
☐ CPA ☐ CIP ☐ CON ☐ DIV ☐ Provisional
☐ No. of Sheets of Drawings _____ : ☐ Formal or ☐ Informal
☐ Preliminary Amendment
☐ Response to Notice of Missing Parts
☐ Assignment and Cover Sheet
☐ Declaration
☐ Power of Attorney
☐ Small Entity Statement
☐ Petition for Extension of Time (_____ months)
☐ Response
☐ FEE \$ _____
☒ Other: copies of 2 references

- ☒ IDS
☐ Issue Fee Transmittal
☐ Transmittal Letter
☒ Certificate of Mailing
☐ Express Mail No. _____
☐ Notice of Appeal
☐ Appeal Brief



File No.: ETAK-07795US0 Attorney/Secy: MCF / M. LOVEJOY
Date Mailed: 6/4/01 Date Due: _____

APPENDIX C

Copies of the following documents are attached to this Appendix C:

- Information Disclosure Statement filed on November 20, 2001;
- Certificate of Mailing Under 37 C.F.R. § 1.8;
- Remarks previously filed;
- Appendices previously filed;
- Copies of cited references previously filed; and
- Return Receipt Postcard (indicating receipt by the USPTO on December 3, 2001).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

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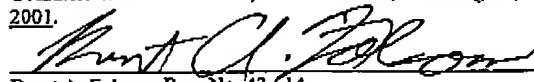
Art Unit: 2177

Examiner: Unknown

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Art Unit 2177, Washington, DC 20231, on November 20, 2001.

 (Attorney Signature)
Brent A. Folsom, Reg. No. 43,614
Signature Date: November 20, 2001

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
Art Unit 2177
Washington, DC 20231

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

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the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

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Remarks

A copy of an International Search Report dated May 4, 2001 in related PCT Application No. PCT/US00/42055 citing portions of U.S. Patent No. 5,487,139 to *Saylor et al.* and U.S. Patent No. 5,848,373 to *DeLorme et al.* is submitted herewith as Appendix A. A copy of a revised cover page which was published on October 4, 2001 with the International Search Report in the PCT Application is submitted herewith as Appendix B.

Respectfully submitted,

Date: November 20, 2001

By: 

Brent A. Folsom, Reg. No. 43,614

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800

APPENDIX A

A copy of an International Search Report dated May 4, 2001 in related PCT Application
No. PCT/US00/42055 appears on the following pages.